

DIANA ZALESKI

2003 DEC 23 PM 2:17

SUMMIT COUNTY
CLERK OF COURTS

IN THE COURT OF COMMON PLEAS
SUMMIT COUNTY, OHIO

IN RE:)	MASTER FILE PLEADING
)	
SUMMIT COUNTY WORKERS)	MISC NO: 2003-00-0022
COMPENSATION ASBESTOS CASES)	CONTROL NO. <u>1078</u>
)	
)	
)	JUDGE JOHN R. MILLIGAN
)	
)	REVISED CASE
)	MANAGEMENT ORDER
)	

The following is a revised procedural order that shall apply to all cases once the cases are officially "grouped" or "activated" by the court. The parties will be notified of a new "grouping" or "activation" of cases by a posting on the web site identifying the first case number and the last case number in the group. All case numbers inclusive that have not previously been dismissed are thereafter "activated" or "grouped".

This Court has previously held in several specific cases, and now holds for all cases, that discovery may take place prior to a specific case being "grouped". See Web Site Posting 8/27/03, Compel Order. The following parameters shall be followed in conducting discovery prior to a case being grouped:

1. Parties are obliged to comply with reasonable requests pursuant to the rules of Civil Procedure.
2. In addition to compliance with the CMO, each party may proceed with discovery in "non-grouped" cases according to the Civil Rules.

The following deadlines shall be followed upon grouping. Failure to meet the deadlines may result in dismissal of a case for lack of prosecution or in the case of defendant, in sanctions.

Day 1—This date has also been called Day 0. This is the day upon which a group of 20 cases is "grouped" or "activated" and posted on the web site.

www.cpcclerk.co.summit.oh.us

Day 10--Plaintiff shall supply to Defendant all medical expert reports, including chest x-ray interpretations, B Readings, pulmonary function test results and interpretations, and an opinion of causal relationship in the group.

Day 25—The Court has approved Master Discovery Interrogatories and Master Discovery Request for Production of Documents. All documents are available on the web site listed above under Day 1. All parties shall provide answers to the Master documents as requested on or before this date and so certify to the Court. Plaintiff and Defendant shall provide appropriate medical, employment and social security records and authorizations on or before this date.

Day 35—Plaintiff shall identify their intended trial witnesses, including expert witnesses if known.

Day 40—Defendant shall identify their intended trial witnesses, including expert witnesses if known.

Day 30-100—Parties may conduct case specific discovery via depositions of the parties, including Plaintiffs, Defendants representatives and lay witnesses. Plaintiffs and lay witnesses shall be made available for deposition in Summit County to the extent possible. Defendants may conduct Independent Medical Examinations (IME). Within this time frame the Plaintiff's discovery should precede the Defendant's discovery, to the extent reasonable and appropriate.

Day 100--- Parties shall file an amended trial witness list, if any new witnesses are to be called.

Day 105—Deadline for dispositive motions without leave of court.

Day 115—Response briefs in opposition to dispositive motions.

Day 100-139—Parties to conduct videotape trial testimony of all witnesses. Arrangements have been made with Steve Allen at the University of Akron. He can be contacted at 330-972-7581. If demonstrative presentations are to be made, prior arrangements with Mr. Allen need to be accomplished. To the extent possible the testimony of the Plaintiff and lay witnesses should be recorded at the earliest date.

Day 131—Confidential Case Management Questionnaires Due. The Court will put a new questionnaire on the web site for each group. The responses to the questionnaires may be faxed to the Court at 330-643-7791. Please only respond to the cases on which you are attorney of record.

Day 138—Cases dismissed after this date may be assessed costs for the jury draw.

Day 140—All trial testimony, objection logs, stipulations of evidence, exhibits, any motions, and a certificate of evidence for each witness shall be filed with Mary Randles at the Clerk of Courts. Copies of the Certificate of Evidence are available on the web site.

Day 140-169—Court to review testimony, rule on objection log and any pending motions, and provide tapes to Steve Allen for editing, collating and splicing.

Day 170---Copies of edited trial tape will be available to Counsel for review.

Day 175—Jury trials to begin. Trials will commence in numerical order starting with the oldest case number. Voir dire, opening, closing and taking of the verdict will be live; all other testimony and jury instructions to be presented via videotape. It is anticipated that as many as 4 cases may begin on the same day, and regularly thereafter.

Cases in groups of 20 will be identified monthly.

This Master File Pleading shall be applicable to the following cases, and the Clerk will so note this master entry in the docket of the below-listed cases by date of Master File and Master File Control number:

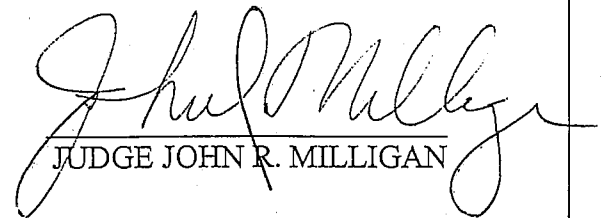
02 05 3022	02 08 4576	02 09 5173E	02 10 6065
02 05 3023	02 08 4577	02 09 5204	02 10 6083
02 06 3309	02 08 4578	02 09 5205	02 10 6086
02 07 3743	02 08 4579	02 09 5206	02 10 6088
02 07 3744	02 08 4580	02 09 5215	02 10 6092
02 07 3769	02 08 4581	02 09 5216	02 11 6204
02 07 3770	02 08 4582	02 09 5217	02 11 6340
02 07 3772	02 08 4583	02 09 5219	02 11 6356
02 07 3773	02 08 4584	02 10 5610	02 11 6357
02 07 3775	02 08 4585	02 10 5611	02 11 6358
02 07 4026	02 08 4586	02 10 5680D	02 11 6359
02 07 4027	02 08 4738	02 10 5876	02 11 6360
02 07 4064	02 09 4901	02 10 5905A	02 11 6361
02 07 4180	02 09 4991	02 10 5905B	02 11 6362
02 07 4181	02 09 5023	02 10 5911	02 11 6363
02 07 4198	02 09 5026	02 10 5912	02 11 6364
02 07 4199	02 09 5169	02 10 5913	02 11 6365
02 07 4200	02 09 5170A	02 10 5914	02 11 6366
02 07 4201	02 09 5170B	02 10 5984	02 11 6367
02 08 4483	02 09 5170C	02 10 5986	02 11 6368
02 08 4568	02 09 5171A	02 10 6057	02 11 6369
02 08 4569	02 09 5171B	02 10 6059	02 11 6370
02 08 4570	02 09 5171C	02 10 6060	02 11 6372
02 08 4571	02 09 5171D	02 10 6061	02 11 6373
02 08 4572	02 09 5173B	02 10 6062	02 11 6374
02 08 4573	02 09 5173C	02 10 6063	02 11 6375
02 08 4574	02 09 5173D	02 10 6064	02 11 6376

02 11 6378	02 12 7409	03 02 0754	03 03 1679
02 11 6380	02 12 7410	03 02 0755	03 03 1728
02 11 6408	02 12 7412	03 02 0756	03 03 1769
02 11 6409	02 12 7414	03 02 0757	03 03 1827
02 11 6839	02 12 7416	03 02 0853A	03 03 1828
02 12 7090A	02 12 7417	03 02 0853B	03 03 1829
02 12 7090B	02 12 7419	03 02 0853C	03 04 2051
02 12 7141A	02 12 7422	03 02 0853D	03 04 2053
02 12 7141B	02 12 7423	03 02 0853E	03 04 2055
02 12 7141C	02 12 7424	03 02 0854A	03 04 2059
02 12 7141D	02 12 7426	03 02 0854B	03 04 2061
02 12 7210	03 01 0027	03 02 0854D	03 04 2062
02 12 7211	03 01 0028	03 02 0854E	03 04 2063
02 12 7212	03 01 0029	03 02 0856A	03 04 2064
02 12 7217	03 01 0030	03 02 0856B	03 04 2066
02 12 7218	03 01 0088	03 02 0856C	03 04 2102
02 12 7220	03 01 0090	03 02 0856D	03 04 2103
02 12 7222	03 01 0093	03 02 0856E	03 04 2104
02 12 7225	03 01 0113	03 02 0857	03 04 2105
02 12 7229	03 01 0114	03 02 0858A	03 04 2106
02 12 7230	03 01 0116	03 02 0858B	03 04 2107
02 12 7262	03 01 0125	03 02 0858C	03 04 2108
02 12 7268	03 01 0150	03 02 0859A	03 04 2109
02 12 7270A	03 01 0156A	03 02 0859B	03 04 2110
02 12 7270B	03 01 0156B	03 02 0859C	03 04 2111
02 12 7270C	03 01 0158A	03 02 0859D	03 04 2112
02 12 7270D	03 01 0158B	03 02 0859E	03 04 2123
02 12 7270E	03 01 0158C	03 02 0860	03 04 2140
02 12 7273A	03 01 0158D	03 02 1029	03 04 2141
02 12 7273B	03 01 0158E	03 02 1030	03 04 2142
02 12 7273C	03 01 0159A	03 02 1031	03 04 2143
02 12 7273D	03 01 0159B	03 02 1163	03 04 2144
02 12 7273E	03 01 0159C	03 02 1164	03 04 2145
02 12 7383	03 01 0159D	03 02 1202	03 04 2147
02 12 7384	03 01 0321	03 02 1285A	03 04 2148
02 12 7385	03 01 0322	03 02 1285B	03 04 2149
02 12 7387	03 01 0323	03 02 1285C	03 04 2150
02 12 7389	03 01 0324	03 02 1285D	03 04 2151
02 12 7391	03 01 0638	03 02 1285E	03 04 2152
02 12 7392	03 01 0696	03 02 1286A	03 04 2153
02 12 7393	03 01 0697	03 02 1286B	03 04 2154
02 12 7394	03 01 0698	03 02 1286C	03 04 2155
02 12 7396	03 01 0699	03 02 1286D	03 04 2156
02 12 7397	03 02 0747	03 02 1286E	03 04 2157
02 12 7399	03 02 0748	03 03 1362	03 04 2158
02 12 7401	03 02 0749	03 03 1451	03 04 2159
02 12 7402	03 02 0750	03 03 1455	03 04 2160
02 12 7404	03 02 0751	03 03 1517	03 04 2161
02 12 7406	03 02 0752	03 03 1519	03 04 2162
02 12 7407	03 02 0753	03 03 1520	03 04 2164

03 04 2165	03 06 3457	03 08 4896
03 04 2166	03 06 3459	03 09 5143
03 04 2167	03 06 3549	03 09 5144
03 04 2168	03 06 3554	03 09 5146
03 04 2170	03 06 3555	03 09 5265
03 04 2382	03 06 3646	03 09 5266
03 04 2472	03 06 3648	03 09 5386
03 04 2473	03 06 3649	03 09 5398
03 04 2474	03 06 3650	03 09 5502
03 04 2533	03 06 3651	03 09 5503
03 04 2535	03 06 3711	03 09 5504
03 04 2655	03 06 3840	03 09 5505
03 05 2728	03 07 3890	03 09 5565
03 05 2729	03 07 3891	03 09 5566
03 05 2730	03 07 3892	03 09 5567
03 05 2771	03 07 3895	03 09 5568
03 05 2773	03 07 3896	03 09 5569
03 05 2774	03 07 3897	03 09 5653
03 05 2986	03 07 3898	03 09 5655
03 05 2987	03 07 3899	03 10 5742
03 05 2988	03 07 3900	03 10 5743
03 05 3147	03 07 3986	03 10 5773
03 05 3148	03 07 3988	03 10 5774
03 05 3149	03 07 3989	03 10 5776
03 05 3150	03 07 4023	03 10 5777
03 05 3151	03 07 4324	03 10 6189
03 05 3152	03 08 4551	03 10 6270
03 05 3153	03 08 4552	03 11 6396
03 05 3154	03 08 4562	
03 05 3156	03 08 4649	
03 05 3157	03 08 4650	
03 05 3158	03 08 4833	
03 05 3159	03 08 4880	
03 05 3160	03 08 4881	
03 05 3161	03 08 4882	
03 05 3162	03 08 4883	
03 05 3163	03 08 4884	
03 05 3164	03 08 4885	
03 05 3165	03 08 4887	
03 06 3454	03 08 4888	

And any other worker's compensation asbestos case filed in Summit County. Subject to further order of the court.

So ordered.


 JUDGE JOHN R. MILLIGAN